

NOT FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

PACIFIC BUSINESS CAPITAL CORP.,)
)
Plaintiff,)
)
v.)
) Civil No. 2004-159
LITTLE SWITZERLAND, INC. and, L.S.)
WHOLESALE INC.,)
)
Defendants.)
)

)

ATTORNEYS:

Marshall A. Bell, Esq.

St. Thomas, U.S.V.I.

For the plaintiff,

Christopher A. Kroblin, Esq.

St. Thomas, U.S.V.I.

For the defendants.

ORDER

GÓMEZ, C.J.

On December 1, 2008, having been advised that the matter was settled, the Court entered an Order directing the parties to file, within thirty days from the date of the Order, "a stipulation for dismissal, a motion for leave to voluntarily dismiss, or a proposed consent judgment." (Order 1, Dec. 1,

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2008.) The Order further stated that "[f]ailure to timely comply . . . shall result in dismissal of the matter with prejudice." (*Id.* at 2.)

On January 27, 2009, at which time no documents had been filed in accordance with the December 1, 2008, Order, the Court entered an Order dismissing the matter. The January 27, 2009, Order stated that "the Court retains jurisdiction for thirty days from the date of this Order to enforce the settlement" (Order 2, Jan. 27, 2009.)

Now, the plaintiff, Pacific Business Capital Corporation ("PBCC"), and the defendants, Little Switzerland, Inc. ("Little Switzerland") and L.S. Wholesale, Inc. ("L.S."), jointly move to extend the time for retention of this Court's jurisdiction to enforce the settlement by an additional sixty days. In support of their motion, the parties assert that the settlement agreement reached during their mediation gave PBC ninety days to comply with the terms of the settlement agreement by submitting a check to Little Switzerland and L.S.. That ninety-day period does not expire until after the expiration of the thirty-day period for retention of jurisdiction provided by the January 27, 2009, Order. The premises considered, it is hereby

ORDERED that the motion is **GRANTED**; and it is further

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ORDERED that the Court shall retain jurisdiction to enforce the settlement agreement until April 27, 2009.

S_____

Curtis V. Gómez
Chief Judge